

R E M A R K S

- Claims 1-58 were pending in the present application
- Claims 1-58 stand rejected

Upon entry of this amendment, which is respectfully requested for the reasons set forth below:

- Claims 1-58 will be pending
- Claims 25, 40, 51, and 56-57 will be amended
- Claims 1, 6, 44, 51, and 56 are the only independent claims

Telephone Interview

Applicants would like to thank the Examiner for the helpful telephone conversation held on February 5, 2003 with Applicants' representative. The Examiner and Applicants' representative discussed Claims 1, 6, 44, 51, and 56 of the present application in light of Walker '099.

The Examiner suggested that Applicants clarify whether the record of charge recited in Claim 56 includes an indication of an offer.

While no formal agreement was reached with respect to patentability, Applicants are grateful for the opportunity to discuss the present application with the Examiner.

Claim Amendments

1. Claims 25, 40, 51, and 57 have been amended

No new matter has been added, and no amendment was made for any reason relating to patentability. Claims 51 and 57 have been amended to clarify that the recited acceptance is *an acceptance of the offer*.

2. Claim 56 has been amended

As requested by the Examiner, Claim 56 has been amended to clarify that the record of charge includes an indication of an offer.

Priority Claim Amendment

The priority claim of the present application has been amended in accordance with 37 C.F.R. 1.78. The present application is a Continuation in Part of U.S. Patent Application Serial No. 08/920,116, filed August 26, 1997, which issued September 12, 2000, as U.S. Patent No. 6,119,099 to Walker et al. ("Walker '099"). This prior application names as an inventor at least one inventor named in the present (later-filed nonprovisional) application and discloses the named inventor's invention claimed in at least one claim of the present (later-filed nonprovisional) application in the manner provided by the first paragraph of 35 U.S.C. § 112.

Applicants are grateful to the Examiner for bringing the Walker '099 reference to Applicants' attention.

Section 102(e) and Section 103(a) Rejections

Claims 1-4, 6-7, 21-24, 28-31, 40-44, 51 and 56 stand rejected under 35 U.S.C. 102(e) as being anticipated by Walker '099. Claims 8-16, 32-39, 49-50 and 55 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Walker '099 in view of U.S. Patent No. 6,038,552 issued to Fleischl et al. ("Fleischl"). Claims 5, 17-20 and 45-48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Walker '099 in view of U.S. Patent No. 6,233,564 issued to Shulze et al. ("Shulze"). Claims 25-27 and 52-54 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Walker '099, and further in view of U.S. Patent No. 6,208,973 issued to Boyer et al. ("Boyer"). Applicants respectfully traverse the Examiner's Section 102(e) and Section 103(a) rejections.

All of the present 102(e) and Section 103(a) rejections rely on Walker '099. The present application, as amended, is a Continuation in Part of U.S. Patent Application Serial No. 08/920,116, which issued as the Walker '099 reference. Accordingly, Walker '099 is removed as a reference against the present application, and all of the rejected claims (Claims 1-58) are deemed allowable at least for that reason.

Conclusion

It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

Please charge any fees that may be required for this Amendment to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Amendment timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Petition for Extension of Time to Respond

Applicants hereby petition for a THREE-month extension of time with which to respond to the Office Action. Please charge \$465.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an additional extension of time is required, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

April 29, 2003
Date



Michael Downs
Attorney for Applicants
Registration No. 50,252
mdowns@walkerdigital.com
(203) 461-7292 /voice
(203) 461-7300 /fax